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January 30, 2025

VIA ECF

Hon. Katherine Polk Failla
United States District Court Judge
Southern District of New York
United States Courthouse
40 Foley Square, Room 618
New York, N.Y. 10007

MEMO ENDORSED

Re: Robles v. Platinum Leaf, LLC
Case No. 1:24-cv-07543-KPF
Request to Adjourn Initial Conference – Default Judgment

Dear Judge Failla,

We represent Plaintiff, Primitivo Robles, in the above-referenced matter, brought pursuant to the Americans with Disabilities Act (“ADA”), 42 U.S.C. § 12101 et seq. We respectfully request that Your Honor issue an Order to stay the Initial Pre-Trial Conference, currently scheduled for February 7, 2025, to preserve valuable judicial resources in light of the Defendants' failure to involve themselves in these proceedings by failing to appear, file an Answer to the Complaint, or otherwise respond.

We have made several attempts to contact the Defendant directly to obtain their position and to discuss the Court's various Orders. Despite our numerous letters and communications, we have not received any response from the Defendant or their counsel. Given the Defendants' failure to appear and/or respond to Plaintiff's numerous attempts to inquire, we intend to initiate default judgment proceedings pursuant to Fed. R. Civ. P. 55 imminently.

Therefore, we believe it is in the best interest of judicial efficiency to adjourn the scheduled Initial Pre-Trial Conference to allow Plaintiff the opportunity to initiate default proceedings.

Thank you for your understanding and consideration.

Sincerely,

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Application GRANTED. In light of Defendants' failure to appear, the conference scheduled for February 7, 2025, is ADJOURNED *sine die*. The Court anticipates that Plaintiff will next seek a certificate of default from the Clerk of Court.

The Clerk of Court is directed to terminate the pending motion at docket entry 8.

Dated: January 31, 2025
New York, New York

SO ORDERED.



HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE